IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JAIPUR
BENCH, JAPUR

S.B. Civil Misc. Restoration Application No.150/2009
In
S.B. Civil Regular First Appeal No.442/2005

Date of Order::21.02.2013

Hon'ble Ms. Justice Bela M. Trivedi

None present, for applicants.
Mr. N.S. Rathore, for respondents No.1 to 5.

None is present for the applicants. Mr. N.S. Rathore appearing for the respondents No.1 to 5, submits that appeal itself has become infructuous as the preliminary decree was challenged in the first appeal whereas the final decree itself has been passed by the court and the final decree has not been challenged by the appellants.

The present application has been filed seeking restoration of the first appeal which was dismissed for want of prosecution on 31.08.2007. There being no substance in the present application and the appeal itself having become infructuous as stated by the learned counsel for the respondents, the present restoration application also deserves to be dismissed and the same is accordingly dismissed.

(Bela M. Trivedi) J.

R.Vaishnav
18.

"All corrections made in the judgment/order have been incorporated in the judgment/order being emailed."
Ramesh Vaishnav Jr.P.A.